

23243. Dressed turkeys. (F. D. C. No. 38898. S. No. 37-266 M.)

QUANTITY: 2,165 lbs. in 36 crates at New York, N. Y.

SHIPPED: 12-19-55, from Morristown, Tenn., by Burnett Produce Co.

LBELED: 1-13-56, S. Dist. N. Y.

CHARGE: 402 (a) (3)—contained birds contaminated with fecal matter and decomposed birds; and 402 (a) (5)—contained diseased birds when shipped.

DISPOSITION: 3-12-56. Default—destruction.

## VITAMIN, MINERAL, AND OTHER PRODUCTS OF SPECIAL DIETARY SIGNIFICANCE

23244. Vitamin preparations. (Inj. No. 280.)

COMPLAINT FOR INJUNCTION FILED: 4-29-54, E. Dist. N. Y., against Bonded Laboratories, Inc., Brooklyn, N. Y., and Hans Lowey, president of the corporation.

CHARGE: The complaint alleged that the defendants had been and still were engaged in manufacturing, selling, and shipping directly to places outside the State of New York, and delivering to a Brooklyn firm for shipment to places outside the State of New York, various vitamin preparations which were adulterated and misbranded as follows:

402 (b) (1)—valuable constituents had been in part omitted or abstracted from a number of the articles; and

403 (a)—the labeling of a number of the articles bore false and misleading statements with respect to the nature and quantity of the ingredients contained in the articles.

The complaint alleged that the adulterated and misbranded conditions of the vitamin preparations resulted from deficiencies in the ingredients of the articles. For example, examination of samples from interstate shipments and deliveries for interstate shipment, made by the defendants of certain vitamin preparations, namely, *Siccoid Special Supplement*, *Bever Miami-vites*, and *Zilifer-B tablets*, disclosed that the *Siccoid Special Supplement* contained, in one lot, 50 percent of the declared amount of vitamin D, and, in another lot, 10 percent of the declared amount of vitamin A and 5 percent of the declared amount of vitamin C; that the *Bever Miami-vites* contained 10 percent of the declared amount of riboflavin; and that the *Zilifer-B tablets* contained 20 percent of the declared amount of vitamin B<sub>1</sub>.

The complaint alleged further that the defendants were well aware that their activities were violative of the Act. Several inspections were made of the defendants' plant in Brooklyn, N. Y., by inspectors of the Food and Drug Administration, between 2-13-51 and 2-8-54, at which times the defendants were informed of certain inadequacies in their control system for the manufacture of the articles, namely, the failure to assay the raw materials used; the lack of care in identifying containers of raw materials, batches of the articles during processing, and the finished articles; the lack of an adequate checking system to insure that the proper amounts of the various chemicals were put into the batches of the chemicals being processed; and the practice of making very few assays of the finished articles.

The defendants were warned that such inadequacies would result in errors of composition and labeling with respect to the articles manufactured, and that such inadequacies would also result in the articles being adulterated and mis-